APPENDIX.

AFFIDAVITS.

STATE OF OREGON,
County of Curry, ss.:

I, A. H. Boice, being first duly sworn, on oath do depose and say that I am the duly qualified and acting County Judge of Curry County, Oregon, and have held office as Judge since January of 1937. For two years prior to that time I was the County Commissioner. During my incumbency as County Commissioner and County Judge there has never been a serious attempt to place women upon the jury of Curry County until January of 1940. In January of 1939, women's names were purposely left off the jury list. The reason for such action being that the few women that had been called had claimed their exemption and the County Court felt that the facilities at the Court House for women jurors was inadequate.

(Signed) A. H. BOICE,
County Judge of Curry County.

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 30th day of December, 1940.

(Signed) J. S. MOLTZNER,
Notary Public for the State of Oregon. (Seal)

My Commission expires: 4/30/44.

Petitioner's Ex. No. 1.—Ferguson.

Affidavit of Oleta A. Walker, County Clerk of Curry County, Oregon, for the year 1939, and entered in evidence in the Court below (Tr. ev. 88) (Garner 8) reads as follows:

STATE OF OREGON,
County of Curry, ss.:

I, Oleta Walker, being first duly sworn on oath do depose and say: I am the duly elected, qualified and acting Clerk of Curry County, Oregon, and as such have custody and

keep the records of the County and Circuit Courts of Curry County, Oregon; that the records of the County Court as shown by the Journal of said Court for the session of said Court held on the 3rd day of January, 1939, contains the names and addresses of the jury list for the year 1939 as made up by the County Judge and Commissioners; that there are no names of women on said list and no women were notified by me to present themselves for jury duty or claim their exemption from said jury service; that the records of the County Court for the session held January 3rd, 1938, contains the names of 5 women; the records for the session held January 2nd, 1937, contains the names of 6 women called for jury service; the records for the session held January 2nd, 1936, contains the names of five women summoned for jury service; that for the last four years to and including 1939, no women have served on any Circuit Court jury; that prior to January of 1940 the only women notified to serve as jurors were those who had previously refused to serve and no attempt was made to procure other or different women and almost the identical names were placed on the jury list for the years 1936 to 1939, inclusive.

(Signed) OLETA A. WALKER,
County Clerk of Curry County, Oregon.

Subscribed and sworn to before me a Notary Public in and for said County and State this 26th day of December, 1940.

(Signed) J. S. MOLTZNER,
Notary Public for Oregon. (Seal)

My commission expires Apr. 30, 1944.

Petitioner's Ex. No. 2—Ferguson.

Affidavit of F. W. Smith, Sheriff of Curry County, Oregon, for the year 1939, and entered in evidence in the Court below (Tr. Ex. 8) (Garner 8), reads as follows:

STATE OF OREGON,
County of Curry, ss.:

I, F. W. Smith, being first duly sworn, on oath, do depose and say that I am the Sheriff of Curry County, Oregon;

that for the year 1939 there were no names of women placed on the jury list for call to serve as jurors for the Grand Jury or Circuit Court Jury; that in 1938, 5 women were listed for jury service; for the year 1937, 6 women were listed and for the year 1936, 5 women were listed. That at no time since 1933 until 1940 were women actually placed on juries in the Circuit Court of Curry County or called for service on the Grand Jury.

(Signed) F. W. SMITH,
Sheriff of Curry County, Oregon.

Subscribed and sworn to before me a Notary Public in and for said County and State this 26th day of December, 1940.

(Signed) J. S. MOLTZNER,
Notary Public for Oregon. (Seal.)

My commission expires Apr. 30, 1944.

Petitioner's Ex. No. 3—Ferguson.